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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

No. 4:09cr37-F(2)

UNITED STATES OF AMERICA)
)
 V.) I N D I C T M E N T
)
ANDRE DEMONTIO MCNEIL)

The Grand Jury charges that:

COUNT ONE

On or about July 12, 2007, in the Eastern District of North Carolina, ANDRE DEMONTIO MCNEIL, defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting commerce, a firearm, in violation of Title 18, United States Code, Sections 922(g)(1) and 924.

COUNT TWO

On or about July 12, 2007, in the Eastern District of North Carolina, ANDRE DEMONTIO MCNEIL, defendant herein, did knowingly, intentionally, and unlawfully possess with the intent to distribute more than five grams of crack cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT THREE

On or about July 12, 2007, in the Eastern District of North

Carolina, ANDRE DEMONTIO MCNEIL, defendant herein, knowingly possessed a firearm in furtherance of a drug trafficking offense, prosecutable in a court of the United States, as charged in Count two of this indictment, in violation of Title 18, United States Code, Section 924(c).

ALLEGATIONS OF PRIOR CONVICTION

As to Count Two of the Indictment:

For purposes of Title 21, United States Code, Sections 841(b) and 851, the Defendant committed the violations alleged in Count Two after a prior conviction for a felony drug offense, as defined in Title 21, United States Code, Section 802(44), had become final.

A TRUE BILL

DATE: 5/6/2009

GEORGE E.B. HOLDING
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